

1           A     I'm sure we did. I mean, I'm just -- I mean,  
2     between the last memo and this memo I'm sure we talked a  
3     number of times. And yes, I'm sure we talked about this.

4           Q     I take it, with the testimony that you have given  
5     before that between the last memo and this memo, the  
6     financial statement for October of 1994 would have been  
7     prepared and sent.

8                     And if that regard, if you could please look at  
9     page 19 of Exhibit 122. That's the cover page for it, so  
10    actually the page I want you to look at is the next page,  
11    page 20.

12          A     Okay.

13          Q     And at that point what does the accounts payable  
14    reflect?

15          A     It reflects a receivable from Truth of \$9,000 and  
16    a receivable -- I'm sorry. A payable to Truth for \$9,000  
17    and a payable to Pathfinder for approximately \$28,000.

18          Q     And that means that that's money that Hicks  
19    Broadcasting owes to Truth and Pathfinder, respectively?.

20          A     That's correct.

21          Q     If you could please turn to page 13 of Exhibit  
22    102.

23          A     I'm sorry. 102?

24          Q     Correct, Exhibit 102.

25          A     Okay.

1           Q     There is the memo at the top portion of the page,  
2     but then there is something additional, in addition, at the  
3     bottom of the page, and I was wondering if you could help us  
4     figure out what this is.

5           A     That's just a receipt that it's completed by the  
6     business office. Any time a check comes to them that does  
7     not have anything attached to it for how to distribute it,  
8     how to charge it, someone makes up a receipt and then it  
9     gets -- in this case, I'm not positive, but I think -- if I  
10    can faintly see the initials of Eileen Grant there, and this  
11    tells the accounting where to put -- where to put the money,  
12    where to charge it to. They debit cash and this is the  
13    credit over here.

14          Q     Okay, now, I want to direct your attention further  
15    along in Exhibit 102 to pages 16, 17, 18, 19, 20, and 21,  
16    also 22.

17                   Again, basically, we're talking about the same  
18    procedure that had taken place the previous month?

19          A     Yes.

20          Q     Now, when you look at page 17, in addition to the  
21    photocopy of the check there appears to be something written  
22    underneath. If you could tell us what that is and what  
23    that's about?

24          A     Well, I don't know what it's about. The note says  
25    that, "Ed, paid in capital." And then, "Mike," which

1     probably means additional paid in capital. I don't know who  
2     wrote that on there. I didn't know what that is. It's not  
3     my writing, and I'm not positive what account 3.7955 is, if  
4     that's paid in capital or if that's the loan account at that  
5     point, I really don't know.

6             The main thing is that -- well, let me -- no, let  
7     it slide. I haven't looked at this in a long time, but the  
8     main thing is that the money was deposited right away and it  
9     went into one of those accounts, and then it got figured out  
10    what taxes can do.

11            Q     And the reason that the memos went out in December  
12    are because -- is it because Hicks still owed Pathfinder and  
13    Truth money at that point, and to --

14            A     Yes.

15            Q     -- make sure we understand each other on that  
16    subject, if you turn to page 23 of Exhibit 112.

17            A     Yes.

18            Q     Now, what is the accounts payable to Truth at that  
19    point?

20            A     Account payable to Truth is 10,500, approximately,  
21    and to Pathfinder 47.5, approximately.

22            Q     Now, if you could please turn to pages 23, 24, 25,  
23    26.

24                   JUDGE CHACHKIN: Which Volume?

25                   MR. SHOOK: This is --

1 THE WITNESS: 102.

2 MR. SHOOK: -- Exhibit 102.

3 BY MR. SHOOK:

4 Q Twenty-three through 30.

5 JUDGE CHACHKIN: I'm not looking for the exhibit,  
6 but the volume. You spoke about 102 in Volume 3?

7 THE WITNESS: Oh, okay. Sorry.

8 MR. SHOOK: We're basically going back and forth.

9 THE WITNESS: Yeah, I knew we were but I  
10 thought -- where are we now?

11 BY MR. SHOOK:

12 Q Exhibit 102.

13 A Right. Page?

14 A Pages 23 to 30.

15 A Okay. All right.

16 Q So the same process that we described before is  
17 now taking place in January of 1995?

18 A Yes.

19 Q You're sending memos to Mr. Hicks and each of the  
20 three Dille children?

21 A Yes.

22 Q And that's because with respect to the month of --  
23 the financial statement for December 1994 still reflects  
24 money owed by Hicks to Pathfinder, and for that please take  
25 a look at page 26 of Exhibit 112?

1 A Yes.

2 Q And the figures are?

3 A Accounts payable to Truth is \$11,400,  
4 approximately, and accounts payable to Pathfinder is  
5 \$52,200, approximately.

6 Q Now, taking a look at Exhibit 102 again, pages 31  
7 through 34.

8 A Okay.

9 Q The same process as before?

10 A Would you -- yes, it's the same process.

11 Q And I want to direct your attention to Mass Media  
12 Bureau Exhibit 113.

13 A 113. Excuse me. Exhibit 113?

14 Q Yes, sir.

15 A That's in Volume 4?

16 JUDGE CHACHKIN: I don't know if you have Volume 4  
17 there.

18 THE WITNESS: I've got it.

19 Okay.

20 BY MR. SHOOK:

21 Q All right, the financial statement for the month  
22 of January 1995, and what does it reflect with respect to  
23 amounts owed by Hicks to Truth and Pathfinder?

24 A Truth, \$14,800, and Pathfinder, 65 --  
25 approximately \$66,000.

1           Q     All right. Moving back to Exhibit 102, pages 35  
2     through 38.

3           A     Okay.

4           Q     Basically, we're repeating the process that has  
5     been described for the previous six months?

6           A     Well, we are with respect to the -- for Glenn,  
7     Sarah and Alec.

8           Q     What's different about this month?

9           A     That Dave was not able to put in his contribution  
10    to make the \$105,000 payment that was due Booth American.

11          Q     So in this instance you did not send -- you did  
12    not send a memo to Mr. Hicks then, correct?

13          A     That's correct because he did not loan the company  
14    any money.

15          Q     And that was something --

16          A     He did not have the funds.

17          Q     That was something you knew in advance?

18          A     Yes.

19          Q     I mean, you didn't bother to send any memo and  
20    then find out that he --

21          A     No, no, we talked. I mean, he knew he couldn't  
22    come up with the amount to make the \$105,000 payment. His  
23    assets were stilled tied up and his liquidity was tied up,  
24    and -- yes.

25          Q     Now, turning back to Exhibit 113, looking at page

1 5, what are the amounts owed to Truth and Pathfinder at this  
2 point by Hicks?

3 A Truth is 24.7, approximately 24.7. Pathfinder is  
4 approximately 51.3.

5 JUDGE CHACHKIN: So who made the payment of  
6 105,000? Did they --

7 THE WITNESS: No, he did not contribute. He did  
8 not put in his -- he did not loan Hicks Broadcasting any  
9 money to make that payment that came in.

10 JUDGE CHACHKIN: So what happened to the payment?

11 THE WITNESS: In the previous exhibit there, the  
12 minority members put in all the money that made that  
13 payment.

14 JUDGE CHACHKIN: Including the 105,000?

15 THE WITNESS: They made -- they each put in  
16 \$35,000 that covers the \$105,000.

17 JUDGE CHACHKIN: And how as Mr. Hicks' debt  
18 treated?

19 THE WITNESS: He just didn't -- he just didn't  
20 loan, he didn't have the money to loan the company.

21 JUDGE CHACHKIN: So what happened to his  
22 indebtedness of \$105,000? Was it just wiped away or what?

23 THE WITNESS: No, I'm -- no, his previous loans  
24 that he had made did you say?

25 JUDGE CHACHKIN: No, the \$105,000 that he would

1 have to pay for this --

2 THE WITNESS: Oh, no, no. Hicks then -- okay,  
3 after the three \$35,000 loans were made from the minority  
4 members, the \$105,000 payment was made to Booth.

5 JUDGE CHACHKIN: I understand that, but Hicks owed  
6 the money.

7 THE WITNESS: Not Hicks. Not Hicks. The company  
8 owed the money. Hicks Broadcasting made the payment.

9 JUDGE CHACHKIN: I understand. So Hicks never  
10 paid, Mr. Hicks never paid back Hicks Broadcasting Company  
11 for \$105,000 that he owed to Booth?

12 THE WITNESS: No, sir, let me explain that Hicks,  
13 Dave Hicks never owed any money to Booth. Hicks  
14 Broadcasting owed the money. The loan -- it was seller  
15 financed, and Hicks Broadcasting owed \$460 -- \$660,000.

16 JUDGE CHACHKIN: Correct.

17 THE WITNESS: And the loan payments started on  
18 October 1, 1994. To make those loan payments, each member  
19 put in their proportional share of the loans --

20 JUDGE CHACHKIN: Right.

21 THE WITNESS: -- to make those payments, so that  
22 the payments could be made.

23 Come April 1st, those first -- was the \$105,000  
24 payment that was due Booth America. So at that time they  
25 had to come up with the additional money to make that



1 payment. Unfortunately, Dave Hicks didn't have the money to  
2 make his promotional share of the loan. It was no -- it was  
3 no requirement that he had to. It's just that he didn't  
4 have the money to do it. So therefore the loan payment  
5 still had to be made to Booth, it was coming due, so the  
6 other minority members put in all the money to cover that  
7 loan.

8 JUDGE CHACHKIN: I understand that, and do I  
9 understand that Mr. Hicks -- it was not treated as -- the  
10 monies that were given to make up Mr. Hicks' \$105,000, he  
11 never had to repay that to the minority stockholders for  
12 their paying in addition to their contribution, they were  
13 paying Mr. Hicks' contribution?

14 JUDGE CHACHKIN: Was there promissory note or  
15 anything?

16 THE WITNESS: Yes. No, there is a loan.

17 JUDGE CHACHKIN: Between whom?

18 THE WITNESS: Between Hicks Broadcasting and the  
19 member who contributed the money. There is a note on that.  
20 Between Hicks -- see, they loaned the money to the entity,  
21 Hicks Broadcasting. Hicks Broadcasting then made the  
22 payment.

23 Now, the only thing that didn't happen is Dave  
24 Hicks did not make any loans to the company at that time.  
25 He didn't make any loans. The other members put all the

1 money in.

2 JUDGE CHACHKIN: And Hicks didn't personally owe  
3 any money to the company to make up for the --

4 THE WITNESS: He didn't owe it. No, he didn't owe  
5 it.

6 JUDGE CHACHKIN: He's never been charged with that  
7 \$105,000?

8 THE WITNESS: But he didn't -- he didn't really  
9 have to. I mean --

10 JUDGE CHACHKIN: Well, according to -- I thought  
11 you told me it was a proportional arrangement in which you  
12 start --

13 THE WITNESS: Well, that was --

14 JUDGE CHACHKIN: -- put up a percentage?

15 THE WITNESS: Well, ideally that was --

16 JUDGE CHACHKIN: That's what was agreed to.

17 THE WITNESS: Yes.

18 JUDGE CHACHKIN: Now, is the company now -- Mr.  
19 Hicks is no longer the person liable for that \$105,000, I  
20 assume, to the company, to Hicks Broadcasting Company and he  
21 doesn't owe any money to the minority stockholders; is that  
22 correct?

23 THE WITNESS: At that point, no, he does not.

24 JUDGE CHACHKIN: All right. So it was a gift  
25 presumably made to Mr. Hicks.

1 THE WITNESS: No, no, Your Honor. It's just that  
2 it -- eventually the company -- excuse me. Eventually the  
3 company did pay back those minority shareholders for their  
4 loan, and then they were even. There were no loans to the  
5 company. The only thing that he didn't do because he didn't  
6 have the funds to make the loan to the company. The other  
7 people did make the loan to the company, they hadn't got  
8 paid back and the loans were the same. They were  
9 proportional.

10 JUDGE CHACHKIN: Go ahead, Mr. Shook.

11 MR. SHOOK: Your Honor, just to clarify, there  
12 will be some notes that we will get to. We just haven't  
13 gotten to them yet.

14 JUDGE CHACHKIN: All right.

15 BY MR. SHOOK:

16 Q Mr. Watson, turning back to Exhibit 102 again,  
17 page 30, 40 and 41.

18 JUDGE CHACHKIN: What pages?

19 THE WITNESS: Thirty-nine, 40 and 41.

20 JUDGE CHACHKIN: All right.

21 BY MR. SHOOK:

22 Q Now, first of all, the memos essentially are the  
23 same. Basically you're telling the three children to send  
24 money in order to make a payment to Booth, right?

25 A That's correct.

1           Q     Now, one thing I notice on these memos, the last  
2 sentence in the first paragraph makes a reference to a loan.

3                     Is there any particular reason why you placed that  
4 information on this memo?

5                     You see what I'm referring to?

6           A     Yeah. No, it was just informational; just telling  
7 them what they were doing. I mean, just kind of -- it was  
8 just informational to them.

9           Q     Now, as far as the photocopies of the checks that  
10 appear on the bottom of each of those pages 39, 40 and 41, I  
11 believe you had testified before about an account that Mr.  
12 Dille had that you were authorized to sign for?

13          A     That's correct.

14          Q     And that's what this account is?

15          A     That's correct.

16          Q     But you wouldn't -- you would not have done this  
17 without his knowledge or authority, would you?

18          A     No.

19                     MR. SHOOK: Your Honor, the Bureau moves Exhibit  
20 102 into evidence?

21                     JUDGE CHACHKIN: Any objection.

22                     MR. JOHNSON: No, Your Honor.

23                     MR. WERNER: No, Your Honor.

24                     JUDGE CHACHKIN: Exhibit 102 is received.

25     //

1 (The document referred to,  
2 having been previously marked  
3 for identification as MMB  
4 Exhibit No. 102, was received  
5 into evidence.)

6 (Pause.)

7 MR. JOHNSON: Judge Chachkin, forgive me, I didn't  
8 want to interrupt counsel which is why I conferred with him.

9 Mr. Watson will obviously need to return on Monday  
10 and he has a 5:00 flight this afternoon, so we had conferred  
11 with Mr. Shook during the lunch hour about the possibility  
12 of adjourning in the vicinity of 3:30 in order to enable him  
13 to make that flight. Mr. Shook doesn't object, but we  
14 wanted to raise it with Your Honor to see if it would  
15 inconvenience you in any way to stop a few minutes early  
16 today.

17 JUDGE CHACHKIN: Well, we'll stop at 3:30.

18 MR. JOHNSON: Thank you, Judge Crachkin.

19 JUDGE CHACHKIN: I want to -- well, we'll bring it  
20 up after Mr. Watson leaves.

21 Go ahead.

22 BY MR. SHOOK:

23 Q Mr. Watson, could you turn to Exhibit 109, which  
24 appears on Volume 4.

25 Do you have before you a document that says Hicks

1 Broadcasting of Indiana, LLC, Resolution"?

2 A Yes.

3 Q And it has three names, Anthony A. Adelman, Dallas  
4 K. Johnston and Mary K. Fara. And I believe you've already  
5 identified Adelman and Johnston.

6 Who is Fara?

7 A Mary Fara used to be a corporate accountant in the  
8 business office.

9 Q The business office of Pathfinder?

10 A The business office of Pathfinder, that's correct.

11 Q Now, do you know the circumstances which led to  
12 this resolution?

13 A I'm trying to remember what it was for. I  
14 really --

15 Q Well, why don't you read the "resolved" part to  
16 yourself?

17 A What?

18 Q Read the "resolved" part to yourself and perhaps  
19 that will help you remember.

20 A I am reading it, and I'm still not quite sure what  
21 it is.

22 Q First of all, during this period of time, Mr.  
23 Adelman, Mr. Johnston and Ms. Fara were under your  
24 supervision, were they not?

25 A Yes, they were.

1           I cannot recall what this was for though. It must  
2   have been a specific event, that's all I can think of. I  
3   mean, a specific thing that somebody was requiring. Boy, I  
4   just don't know what it was because at that time -- I mean,  
5   at that time Hicks did not have their own bank account, and  
6   Mary Fara has never been able to sign checks. So I don't  
7   know what it was for, to be honest with you. I just don't.

8           Q     Well, let me see if I understand this. It appears  
9   to me -- I'll paraphrase it, then you tell me if I'm wrong.  
10   But it appears to me that Adelman, Johnston and Fara are  
11   receiving authority to sign on behalf of Hicks checks that  
12   were made payable to them, to Hicks, that is, and then to  
13   deposit any such checks into an appropriate account.

14           MR. GUZMAN; Your Honor, I'm going to object to  
15   this line of questioning. The witness has testified he  
16   doesn't remember anything about it.

17           JUDGE CHACHKIN: Well, maybe this will jog his  
18   mind. Let's see.

19           THE WITNESS: I think that probably was it. I  
20   think that probably was it now that you paraphrased it that  
21   way, and here is why.

22           These checks that were being loaned to the  
23   company, these checks from the individual members that were  
24   being loaned to the company were being made out payable to  
25   Hicks Broadcasting, and to get those deposited in the only

1 bank account that Hicks had, which they were using  
2 Pathfinder's at that time, okay, they have to endorse it  
3 over to Pathfinder, or you couldn't -- they couldn't have  
4 made the deposit. So it had to be -- now, keep in mind when  
5 that was deposited, every time those checks got deposited in  
6 Pathfinder's account, it reduced the amount they owed --  
7 reduced the amount that they owed -- I mean, WRBR owed them  
8 too.

9 Q You're saying reduced the amount that Hicks  
10 Broadcasting owed to Pathfinder?

11 A That's right. Every time they got deposited it  
12 reduced the amount that Hicks owed Pathfinder. But that's  
13 why it had to be done. It was a pract -- as a practical  
14 matter when these checks came on someone had to be able to  
15 sign those.

16 Q So this was a document that was generated by your  
17 office and then sent to Mr. Hicks for signature?

18 A Yes, but I talked to Dave about it, and in this  
19 particular instance I particularly left my name off of it.  
20 I could have put my name on it as a practical matter, and  
21 then endorse them over myself, but I didn't because of going  
22 back to the March 4th letter where Alan Campbell letter, I  
23 just didn't think it would be right that I -- at that time  
24 that I was on this. Okay, I had three of those people --  
25 but all they did -- all they were able to do, you are right,



1 to deposit those -- endorse those checks over from Hicks so  
2 that they could be put in the bank account.

3 MR. SHOOK: Your Honor, the Bureau offers Exhibit  
4 109.

5 JUDGE CHACHKIN: Any objection?

6 MR. JOHNSON: No objection.

7 JUDGE CHACHKIN: Exhibit 109 is received.

8 (The document referred to,  
9 having been previously marked  
10 for identification as MMB  
11 Exhibit No. 109, was received  
12 into evidence.)

13 BY MR. SHOOK:

14 Q i want to direct your attention now to Mass Media  
15 Bureau Exhibit 107. We've spoken about this before, I  
16 believe, but take a moment to look at pages 1 and 2.

17 A Okay.

18 Q First of all, at page 2, is the "okay" and the  
19 initials, are they yours?

20 A Yes.

21 Q And the 354.95 represents a WRBR account?

22 A Yes.

23 Q Now, unfortunately, I managed to put a hole  
24 through some of the writing that appears in the lower left.  
25 If you could help us with that.

1           A     Well, it says, "November expense," meaning expense  
2     it in November and pay it on December 7, 1998.

3           Q     Now, did you happen to discuss with Mr. Dille  
4     whether or not this check should be -- or whether or not  
5     this amount should be paid to Mr. Brown, to Mr. Brown's  
6     firm?

7           A     I -- I'm sure that I discussed it with him. I  
8     mean, either him or Dave or both. And somebody told me to  
9     pay it, and I'm sure Dave told me -- Dave certainly approved  
10    the payment of it also.

11          Q     Now, looking at the --

12          A     What I don't know is -- what I don't know is even  
13    in -- why this invoice was addressed to me at all  
14    whatsoever.

15          Q     Oh, as reflected on the second page of the  
16    exhibit?

17          A     Right.

18          Q     Well, do you know why, looking at the first page  
19    of the exhibit, why a letter is being sent to Mr. Dille from  
20    Mr. Brown?

21          A     No, no, I don't. In fact -- no, I don't know why.  
22    Makes no sense to me.

23          Q     Now, do -- I take it from the initials that appear  
24    on the document that you did see the second page though?

25          A     Yes.

1 Q And that you saw --

2 A And I have seen this, the first page too.

3 Q Okay. But you also understood that the amount  
4 here was arrived at, according to the document that was  
5 addressed to you, that there was a compromise of legal  
6 statement pursuant to an agreement with John Dille.

7 Do you see that?

8 A Yes, I do.

9 Q But there was also a proviso to that.

10 A Correct.

11 Q You have to make a payment by a certain date for  
12 the amount to be reduced?

13 A Yes, I see that.

14 Q And according to this you did make the payment  
15 within the time specified so that you could get the reduced  
16 fee?

17 A Correct.

18 MR. SHOOK: Your Honor, the Bureau offers Exhibit  
19 107.

20 JUDGE CHACHKIN: Any objection?

21 MR. JOHNSON: No, Your Honor.

22 MR. WERNER: No, Your Honor.

23 JUDGE CHACHKIN: Exhibit 107 is received.

24 //

25 //

1 (The document referred to,  
2 having been previously marked  
3 for identification as MMB  
4 Exhibit No. 107, was received  
5 into evidence.)

6 JUDGE CHACHKIN: Are we going to conclude to met  
7 Mr. Watson leave now or do you have something else to take  
8 up?

9 THE WITNESS: Your Honor, if that's a burden, I  
10 can catch a later flight.

11 JUDGE CHACHKIN: That's okay, I don't want to  
12 impose.

13 MR. SHOOK: While we are talking about it, I think  
14 at this point is an additional half hour, and we do have  
15 more than that.

16 MR. JOHNSON: If you don't mind. He will be  
17 returning on Monday anyway, Your Honor.

18 JUDGE CHACHKIN: All right, Mr. Watson, you are  
19 free to leave and return on Monday again, which I'm sure  
20 you're happy about. Thank you.

21 (Witness temporarily excused.)

22 JUDGE CHACHKIN: Before we go, I want to discuss  
23 what we're going to do next week. You're going to complete  
24 Mr. Watson; is that correct?

25 THE WITNESS: That -- I believe so, Your Honor.

1 JUDGE CHACHKIN: And then you're going to cross-  
2 examine Mr. Watson?

3 MR. JOHNSON: Correct, Your Honor.

4 JUDGE CHACHKIN: And have direct exhibit of Mr.  
5 Watson, so he will be finished.

6 MR. JOHNSON: Yes, sir.

7 JUDGE CHACHKIN: And after we go over the Bureau's  
8 exhibits, you don't have to be here for this.

9 MR. JOHNSON: You can leave, Bob.

10 THE WITNESS: Well, I don't mind.

11 (Laughter.)

12 MR. JOHNSON: There is an inexperienced witness.

13 THE WITNESS: Unless you're going to take a half  
14 an hour.

15 (Laughter.)

16 JUDGE CHACHKIN: All right, and so after we finish  
17 your exhibits, then we're -- which presumably may be Tuesday  
18 we're talking about? I don't know how much cross-  
19 examination you have or direct examination.

20 MR. JOHNSON: I suspect it will be less than a  
21 full day, Your Honor.

22 JUDGE CHACHKIN: And then the plan is to recess  
23 until the following Monday, and who will testify then?

24 MR. JOHNSON: We expect that our first witness  
25 will be Mr. Gidness, who is the expert witness.

1 JUDGE CHACHKIN: You're calling an expert witness?

2 MR. JOHNSON: Yes. Yes, Your Honor.

3 JUDGE CHACHKIN: Are you aware of this?

4 MR. SHOOK: Well, he was in the list of proposed  
5 witnesses, and we'll find out when we hear him what it's  
6 about.

7 JUDGE CHACHKIN: I mean, are there any documents  
8 for Bureau counsel to see in advance so that we could  
9 expedite testimony since he's an expert witness?

10 MR. JOHNSON: I don't think an expert -- do we  
11 have an expert report? I don't think an expert report has  
12 been prepared.

13 MR. GUZMAN; No.

14 MR. JOHNSON: But one thing we can do, Your Honor,  
15 is we can -- there is no mystery about it, we'd be happy to  
16 share during the period of the adjournment as much detail as  
17 is helpful to Mr. Shook and counsel the subject matter of  
18 his testimony.

19 JUDGE CHACHKIN: And is this the owner, Mr.  
20 Turner, is coming next, is that --

21 MR. JOHNSON: I believe that's correct, Judge.  
22 Since we've shuffled the days and we're behind the schedule  
23 that we had predicted to our witnesses, we're going to try  
24 to stick to the order that you see there, but there may be  
25 some variations just because of travel plans.

1 JUDGE CHACHKIN: And you're estimating to put on  
2 your case will take eight days?

3 MR. JOHNSON: That's conservative. I hope it's  
4 much faster than that, but that seems to be to be the  
5 outside number of trial days.

6 JUDGE CHACHKIN: All right, because we're going to  
7 run into problems with -- oh, I -- my interest is that you  
8 finish by the end of the 13th, that Friday, the 13th, I  
9 guess.

10 MR. JOHNSON: Of November. I don't foresee a  
11 problem. Perhaps counsel could talk about it. I hope it  
12 won't take that long, Judge.

13 JUDGE CHACHKIN: Because after that we'll run into  
14 problems. For one thing, I have jury duty.

15 (Laughter.)

16 JUDGE CHACHKIN: It's one of the few times I was  
17 called, I did serve.

18 MR. JOHNSON: You in Superior Court or Federal  
19 Court?

20 JUDGE CHACHKIN: Yeah, Superior Court.

21 MR. JOHNSON: Oh, we'll try and get you out of  
22 that.

23 (Laughter.)

24 JUDGE CHACHKIN: I also am moving with is another  
25 factor, so I'd like to finish by the 13th.

1                   As far as your character witnesses, when do you  
2   plan on calling them, at the end?

3                   MR. JOHNSON: At the end, Your Honor.

4                   JUDGE CHACHKIN: All right, anything further or  
5   else we will be in recess until Monday at 9:00.

6                   (Whereupon, at 3:35 p.m., the hearing was  
7   recessed, to resume at 9:00 a.m. on Monday, November 26,  
8   1998.)

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**REPORTER'S CERTIFICATE**

FCC DOCKET NO.: 98-66

CASE TITLE: IN RE: HICKS BROADCASTING

HEARING DATE: October 23, 1998

LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the Federal Communications Commission.

Date:

10-23-98

George Holmes

Official Reporter

Heritage Reporting Corporation

1220 "L" Street, N.W.

Washington, D.C. 20005

**TRANSCRIBER'S CERTIFICATE**

I hereby certify that the proceedings and evidence were fully and accurately transcribed from the tapes and notes provided by the above named reporter in the above case before the Federal Communications Commission.

Date:

10-23-98

Joyce Boe

Official Transcriber

Heritage Reporting Corporation

**PROOFREADER'S CERTIFICATE**

I hereby certify that the transcript of the proceedings and evidence in the above referenced case that was held before the Federal Communications Commission was proofread on the date specified below.

Date:

10-23-98

Meredith Page

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